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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/672,456 | 09/26/2003 | Rami Caspi | 2003P08210US | 9701 |

7590 06/09/2006

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

MARSH, OLIVIA MARIE

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2617

DATE MAILED: 06/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/672,456 | CASPI ET AL. | |
| | Examiner | Art Unit | |
| | Olivia Marsh | 2617 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 is/are allowed.
- 6) ☒ Claim(s) 6-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 6-16 have been considered but are moot in view of the new ground(s) of rejection. Please review the below rejection for full explanation.
2. Applicant's arguments, see pages 7-8, filed April 11, 2006, with respect to claims 1-4 have been fully considered and are persuasive. The rejection of claims 1-4 has been withdrawn.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 6-7, 10-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Jones, JR. (U.S. 2001/0052849 A1).**

As to **claim 6**, Jones discloses:

A telecommunications method:

affixing a wireless device **(20)** to a predetermined user **(paragraph 17)**;
programming said wireless device to be in an allowed predetermined range, said allowed predetermined range comprising a geographic perimeter and route and daily routine limits **(paragraphs 17, 20, 26-27)**;
maintaining presence and availability information on said predetermined user within said predetermined range **(paragraph 24)**;
transmitting one or more alerting signals to an administrative device **(server 40)** when said wireless device is determined to be outside said allowed predetermined range **(paragraph 24)**.

As to **claim 7**, Jones discloses everything as applied in claim 6 and Jones also discloses:

wherein said administrative device comprises a telephony device **(paragraph 25)**.

As to **claim 10**, Jones discloses everything as applied in claim 6 and Jones also discloses:

further comprising receiving at said administrative device one or more requests to alter said predetermined range (**paragraph 27**).

As to **claim 11**, Jones discloses everything as applied in claims 6 and 10 and Jones also discloses:

further comprising receiving at said wireless communications device a temporary variance to said predetermined range (**paragraph 26**).

As to **claim 12**, Jones discloses everything as applied in claims 6 and 10-11 and Jones also discloses:

wherein said temporary variance comprises one or more new perimeter, route, or daily routine limits (**paragraph 26**).

As to **claim 13**, Jones discloses:

A telecommunications method (**paragraph 2**), comprising:

associated a predetermined user (**person 10**) with a wireless telecommunications device (**20**), said wireless telecommunications device including a positioning controller (**GPS receiver 22**) for determining a position of said wireless communication device and a communications controller (**transceivers 24**) for transmitting a position of said wireless telecommunications device to an administrative device (**server 40**; **paragraphs 19 and 24**);
programming said wireless telecommunications device to said predetermined user's daily routine, said daily routine including one more

allowed geographic boundary and time associations (**paragraphs 17, 20-21, and 27**);

maintaining presence and availability information on said predetermined user within said predetermined user's daily routine (**paragraph 24**);

affixing said wireless telecommunications device to said predetermined user (**paragraphs 17**);

monitoring said predetermined user's actual routine and sending one or more alert signals to said administrative device if said actual routine differs from a programmed predetermined routine (**paragraph 24**).

As to **claim 14**, Jones discloses everything as applied in claim 13 and Jones also discloses:

including receiving a request at said administrative device for a variation in said predetermined routine (**paragraph 27**).

As to **claim 15**, Jones discloses everything as applied in claims 13-14 and Jones also discloses:

further including transmitting a variance to said wireless telecommunication device from said administrative device (**paragraph 26**).

As to **claim 16**, Jones discloses everything as applied in claims 13-15 and Jones also discloses:

wherein said transmitting variance comprises transmitting via a cellular telephone network (**paragraph 26**).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones as applied to claims 6 and 12 above, and further in view well known prior art (MPEP 2144.03).**

As to **claim 8**, Jones discloses everything as applied in claim 6 above; however, Jones fails to disclose one or more alerting signals comprises one or more email signals. The Examiner contends this feature was old and well known in the art at the time of invention as taught by well-known prior art.

The Examiner takes Official Notice that it was old and well known in the art at the time of invention to send email messages containing text between mobile devices in order to convey information between a mobile device and a serving system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method and alert signals, disclosed by Jones, to be email signals, as taught by well known prior art, to enable the system to obtain pertinent information relating to the mobile device's current location.

As to **claim 9**, Jones discloses everything as applied in claims 6 and 12 above; however, Jones fails to disclose one or more alerting signals comprises one or more email signals. The Examiner contends this feature was old and well known in the art at the time of invention as taught by well-known prior art.

The Examiner takes Official Notice that it was old and well known in the art at the time of invention to send email messages containing text between mobile devices in order to convey information between a mobile device and a serving system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method and alert signals, disclosed by Jones, to be email signals, as taught by well known prior art, to enable the system to obtain pertinent information relating to the mobile device's current location.

Allowable Subject Matter

7. Claims 1-4 are allowed.
8. The following is a statement of reasons for the indication of allowable subject matter:

The most relevant prior art of record (Murray reference) teaches a telecommunication system comprising a wireless device including a positioning controller and a communications controller; and an administrative device for receiving a user-defined boundary and time and date associations and receiving alerts from said wireless communication device via said communications controller when said positioning controller determines that said wireless devices is outside said user-defined boundary at an associated time and date. The most relevant prior art of record (Jones reference) also teaches the user [of a wireless device] could specify an override condition designating his or her wireless phone during that period of time, after which notifications will be sent according to the normal schedule (paragraph 26). However, none of the most relevant prior art of record teaches means associated with the wireless device for sending a request to the administrative device for a change in said third-party user-defined geographic boundary at an associated time and date; and means for transmitting said change to the wireless device upon third-party approval of said change (claim 1).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olivia Marsh whose telephone number is 571-272-7912. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



CHARLES APPIAH
PRIMARY EXAMINER